

Message Text

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C O N F I D E N T I A L YAOUNDE 4418

E.O. 11652: GDS

TAGS: SHUM, MASS, CM

SUBJ: CLEARANCE OF DRAFT HUMAN RIGHTS OBSERVANCE REPORT

REF: STATE 231122

1. REVISED DRAFT TEXT FOLLOWS:

I. POLITICAL SITUATION

CAMEROON IS ORGANIZED AS A UNITARY - I.E., NON-FEDERAL - REPUBLIC WITH A STRONG EXECUTIVE BRANCH, AN ELECTED NATIONAL ASSEMBLY, AND AN APPOINTED JUDICIARY. AUTHORITY IS CENTRALIZED TO A HIGH DEGREE IN THE HANDS OF THE PRESIDENT. THE PRESIDENT IS ELECTED BY DIRECT UNIVERSAL SUFFRAGE; HOWEVER, AS THERE IS ONLY ONE LEGAL POLITICAL PARTY WHICH WAS GRADUALLY AND PEACEFULLY MELDED OUT OF SEVERAL PARTIES, IT IS IN FACT THE PARTY THAT CHOOSES THE PRESIDENT. AT THE LOCAL AND REGIONAL LEVELS, THE PARTY STRUCTURE ALLOWS FOR A CONSIDERABLE AMOUNT OF DISCUSSION AND COMPETITION AMONG CANDIDATES REPRESENTING VARYING POINTS OF VIEW. AT THE NATIONAL LEVEL, AFTER A POLICY HAS BEEN DECIDED UPON, ITS IMPLEMENTATION IS GENERALLY SUPPORTED WITHOUT MUCH OPEN DISSENT. AN OPPOSITION POLITICAL MOVEMENT, ADVOCATING THE OVERTHROW OF THE CURRENT GOVERNMENT, DOES EXIST, MAINLY IN EXILE. IT CONSISTS OF REMNANTS OF THE COMMUNIST-SUPPORTED INSURGENCY OF THE 1950'S AND 60'S. IT

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HAS BEEN DECLARED ILLEGAL, AND ITS MEMBERSHIP APPEARS

FRAGMENTED AND SCATTERED.

II. LEGAL SITUATION

THE PREAMBLE TO CAMEROON'S 1972 CONSTITUTION ENUMERATES A WIDE SPECTRUM OF BASIC LEGAL GUARANTEES WHICH CONFORM TO THE UNITED NATIONS CHARTER AND THE UNIVERSAL DECLARATION OF HUMAN RIGHTS. AMONG THEM ARE: FREEDOM OF MOVEMENT; DUE PROCESS OF LAW; FREEDOM OF RELIGION AND POLITICAL BELIEF; FREEDOM OF EXPRESSION AND OF ASSEMBLY, UNDER CONDITIONS FIXED BY LAW; AND OTHERS. THE CONSTITUTION LIKEWISE PROVIDES THAT THE PRESIDENT MAY, WHEN CIRCUMSTANCES REQUIRE, PROCLAIM A STATE OF EMERGENCY OR A STATE OF SIEGE. IN THE FORMER CASE, SPECIAL POWERS ARE CONFERRED UPON HIM BY LAW; IN THE LATTER, HE MAY TAKE ALL MEASURES DEEMED NECESSARY. IN FACT THE STATE OF EMERGENCY WHICH, BECAUSE OF THE TERRORIST ACTIVITIES OF THE OPPOSITION MOVEMENT REFERRED TO ABOVE, HAD BEEN IN EFFECT NATIONWIDE FOR MANY YEARS, ALTHOUGH GENERALLY NOT VERY NOTICEABLE IN RECENT YEARS, WAS OFFICIALLY LOFTED FOR ALL BUT A SMALL PORTION OF THE COUNTRY IN EARLY 1975.

III. ACTUAL OBSERVANCE OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS

A. INTEGRITY OF THE PERSON

-- ARTICLE 3: THE RIGHT TO LIFE, LIBERTY, AND SECURITY OF THE PERSON IS GENERALLY OBSERVED IN CAMEROON.

-- ARTICLE 5: TORTURE AND CRUEL AND DEGRADING PUNISHMENT ARE PROHIBITED IN CAMEROON. THIS PROHIBITION APPEARS TO BE FOLLOWED IN PRACTICE AS WELL AS PRINCIPLE.

-- ARTICLE 8: IN GENERAL, CAMEROONIANS CAN OBTAIN EFFECTIVE LEGAL REMEDY IF THEIR RIGHTS ARE VIOLATED, AND DUE PROCESS OF LAW OBTAINS.

2. REMAINDER AS GIVEN IN REFTEL.
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